

Serial No: 10/509,652

Fechtenkoetter et al.

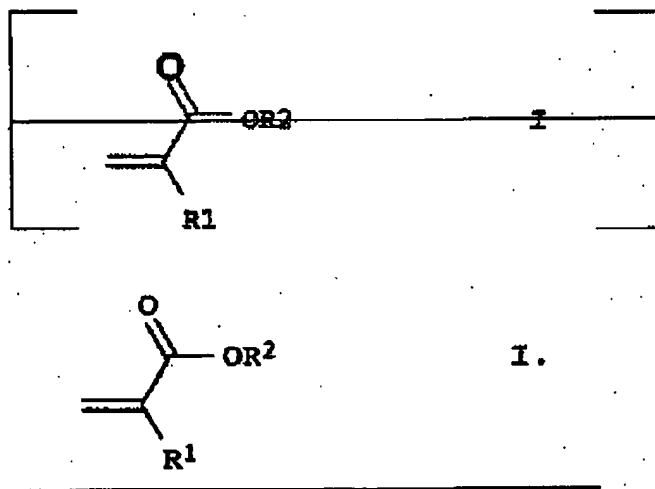
PF 53410/Sue

## APPENDIX I

Claim Amendments :

Amend claims 1 and 5 as set forth in the following listing of claims:

1. *(currently amended)* A thixotropic agent comprising as components from 0.1 to 30% by weight of at least one ethylene terpolymer wax synthesized from  
from 80 to 99.9% by weight of ethylene, from 0.1 to 20% by weight of at least two comonomers comprising as first comonomer from 1 to 99% by weight of at least one C<sub>3</sub>-C<sub>12</sub> alkenecarboxylic acid and as second comonomer from 99 to 1% by weight of at least one ester of the formula I

where R<sup>1</sup> is selected from the group consisting of hydrogen,C<sub>1</sub>-C<sub>10</sub> alkyl, C<sub>3</sub>-C<sub>12</sub> cycloalkyl, and C<sub>6</sub>-C<sub>14</sub> aryl

Serial No: 10/509,652

Fechtenkoetter et al.

PF 53410/Sue

and  $R^2$  is selected from the group consisting of  $C_1$ - $C_{10}$

alkyl,  $C_3$ - $C_{12}$  cycloalkyl, and  $C_6$ - $C_{14}$  aryl,

from 5 to 70% by weight of at least one first solvent incompatible with the ethylene terpolymer wax, and

from 5 to 85% by weight of at least one second solvent compatible with the ethylene terpolymer wax and with said first solvent(s).

2. (*original*) A thixotropic agent as claimed in claim 1, wherein said first comonomer is acrylic acid.
3. (*previously presented*) A thixotropic agent as claimed in claim 1, wherein  $R^1$  is hydrogen or methyl and  $R^2$  is methyl in formula I.
4. (*previously presented*) A thixotropic agent as claimed in claim 1, wherein the ethylene copolymer wax is synthesized from from 90 to 99% by weight of ethylene and from 10 to 1% by weight of at least two comonomers comprising  
from 30 to 70% by weight of at least one  $C_3$ - $C_{12}$  alkenecarboxylic acid as first comonomer and  
from 70 to 30% by weight of at least one ester of the formula I as second comonomer.
5. (*currently amended*) A process for preparing a thixotropic agent as claimed in claim 1, which comprises first dissolving the ethylene terpolymer wax in one or more solvents compatible with the ethylene terpolymer wax and then adding at least one second solvent incompatible with the ethylene terpolymer wax.

Serial No: 10/509,652

Fechtenkoetter et al.

PF 53410/Sue

6. *(previously presented)* A coating material comprising at least one thixotropic agent as claimed in claim 1.
7. *(previously presented)* A metallic paint comprising at least one thixotropic agent as claimed in claim 1.
8. *(previously presented)* A process for preparing a coating material or metallic paint by mixing in a thixotropic agent as claimed in claim 1.
9. *(previously presented)* A surface coated with a coating material or metallic paint comprising at least one thixotropic agent as claimed in claim 1.